

RECEIVED
CENTRAL FAX CENTER

JUL 13 2006

NewMarket Services Corporation
330 South Fourth Street
Richmond, VA 23219
804-788-5000 (Main)

LAW DEPARTMENT
FAX NO.: 804-788-5519

CONFIDENTIALITY NOTICE

THE INFORMATION CONTAINED IN THIS FAX MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED FOR THE USE OF THE ADDRESSEE LISTED BELOW. IF YOU ARE NEITHER THE INTENDED RECIPIENT NOR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THIS MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR THE TAKING OF ANY ACTION IN RELIANCE ON THE CONTENTS OF THIS FAXED INFORMATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FAX IN ERROR OR TRANSMISSION IS INCOMPLETE, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, (804) 788-6129.

TO: Examiner Cephia D. Toomer
Art Group 1714
U.S. Patent & Trademark Office

FAX #: 571-273-8300

FROM: Dennis H. Rainear, Reg. No. 32,486

DATE: July 13, 2006

RE: RESPONSE TO OFFICIAL ACTION
Application No. 10/701,084 – Attorney Docket No. EI-7612

PAGES: 3 (including cover page)

Response - Restriction Requirement
 Application No. 10/701,084
 Attorney Docket No. EI-7612

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
 CENTRAL FAX CENTER

In re Patent Application of:)
 Scott D. SCHWAB et al.)
 Application No.: 10/701,084)
 Filed: November 4, 2003)
 For: COMPOSITION AND METHOD TO)
 REDUCE PEROXIDES IN MIDDLE)
 DISTILLATE FUELS)
 CONTAINING OXYGENATES)

Examiner: Cephia D. Toomer
 Art Unit: 1714
 Confirmation No.: 4422

JUL 13 2006

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.6

I hereby certify that the correspondence identified below is being transmitted via FAX (571-273-8300) by
 me to Examiner Cephia D. Toomer at *Mail Stop Amendment* on July 13, 2006.

Beth Earnest
 Beth Earnest

MAIL STOP AMENDMENT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

RESPONSE TO OFFICIAL ACTION

Sir:

Applicant submits this response to the Examiner's Office Action mailed June 30, 2006.

Applicant responds to the species elections without traverse.

As to the Examiner's paragraph 1, Applicant elects "nitrate esters" as the polar functional group of the hydrocarbon.

As to the Examiner's paragraph 2, Applicant elects "ethers" as the oxygenate.

Applicant understands that no election is required for claims 1, 5-10, 14-19, 22, 23, 27-32, 36-41, 45-50, and 54-58, and that these will be searched and examined as filed.

Response - Restriction Requirement
Application No. 10/701,084
Attorney Docket No. EI-7612

The undersigned attorney appreciates the Examiner's assistance in discussing the Office Action during the telephone conversation of July 11, 2006.

FEES

It is believed that there are no fees associated with this filing. However, in the event the calculations are incorrect, the Commissioner is authorized to charge any deficiencies or credit any overpayment in fees associated with this communication to Deposit Account No. 05-1372.

Respectfully Submitted,



Dennis H. Rainear, Reg. No. 32,486

330 South Fourth Street
Richmond, VA 23219
Phone: 804-788-5516
FAX: 804-788-5519
E-Mail: Dennis.Rainear@NewMarket.com

Date: July 13, 2006